

DENNIS MONTGOMERY, et al., ) 3:06-CV-0056-PMP (VPC)  
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 Plaintiffs, )  
 )  
 vs. ) **ORDER**  
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 ETREPPID TECHNOLOGIES, LLC, et al., )  
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 Defendants. )  
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Rule 69 of the Federal Rules of Civil Procedure permits discovery from the judgment debtor and/or third persons. *Danning v. Lavine*, 572 F.2d 1386, 1389-90 (9<sup>th</sup> Cir. 1978); *1<sup>st</sup> Technology, LLC v. Rational Enterprises LTDA*, 2007 WL 5596692, \*4 (D. Nev. 2007). Local Rule IB 1-9(k) authorizes this court to conduct judgment debtor examinations and to preside over proceedings to enforce civil judgments. The court has broad discretion to limit discovery, including discovery pursuant to Rule 69. *See* Fed.R.Civ.P. 69(a)(2). Rule 26 further provides that protective orders may be entered to limit the scope of a deposition and to require that highly sensitive or confidential information is maintained as confidential. *See* Fed.R.Civ.P. 26(c)(1)(D) and (c)(G). Thus, the court has discretion to issue a protective order limiting the scope and accessibility of information sought in such proceedings. In addition to potential confidentiality concerns typically attendant to post-judgment proceedings, there are also United States protective orders (§s 252 & 253), which remain in effect.

Mr. Flynn seeks broad discovery to satisfy his judgment against the Montgomery parties. In addition to the Montgomery parties, Mr. Flynn seeks discovery from third parties, including Edra Blixseth, Opspring LLC, Blxware, Andrus Burgyan, Jory Russell, Jack Scalia, Bill Manak, Brian Montgomery, Steven Montgomery, Kathleen Montgomery, “and/or any individual who has been

involved in the receipt or disbursement of monies to the Montgomery parties over the amount of five thousand dollars” (#908). In his reply memorandum, Mr. Flynn proposes that such discovery be staged (#945).

The court finds that at this early stage in the post-judgment process, the discovery sought is too broad, and that the initial focus of discovery should be on the judgment debtors themselves. Having considered the parties’ papers, and for good cause appearing, Mr. Flynn’s motion for order compelling discovery and debtor examinations (#945) is **GRANTED IN PART AND DENIED IN PART** as follows:

**A. Document Production**

Mr. Flynn may request production of the following documents:

1. The production from Dennis Montgomery, Brenda Montgomery and the Montgomery Trust (The “Montgomery parties”) of all tax returns for the years 2006 through the present, including all schedules, W-2's and 1099's.
2. The production from the Montgomery parties of all their checkbooks, and checkbook stubs and entries for the years 2006 to the present.
3. The production from the Montgomery parties of all their bank statements, cancelled checks and related banking documents for the years 2006 through the present.
4. The production from the Montgomery parties of all accounting records, computerized and/or in printed or paper format for the years 2006 through the present.
5. The production from the Montgomery parties of all financial records received from casinos or any other financial institution subject to the Bank Secrecy Act, for the years 2006 through the present, including but not limited to credit, deposit, or check cashing account records, currency transaction reports, (“CTRC”), W-2G’s, chip redemptions, and/or any other records received from any casinos.

